

ASSEMBLY BILL

No. 606

Introduced by Assembly Member Gatto

February 16, 2011

An act to add Section 1507 to the Fish and Game Code, relating to fish and wildlife resources.

LEGISLATIVE COUNSEL'S DIGEST

AB 606, as introduced, Gatto. Hunting and fishing.

Existing law authorizes the Department of Fish and Game to enter into contracts for fish and wildlife habitat preservation, restoration, and enhancement with public and private entities whenever the department finds that the contracts will assist in meeting the department's duty to preserve, protect, and restore fish and wildlife.

The Wildlife Conservation Law of 1947 specifically authorizes the Wildlife Conservation Board to authorize the Department of Fish and Game to acquire real property, including easements, for the benefit of wildlife.

The Sacramento-San Joaquin Valley Wetlands Mitigation Bank Act of 1993 (mitigation bank act) provides for the establishment of wetlands mitigation bank sites to increase the total wetlands acreage and values within the Sacramento-San Joaquin Valley.

This bill would require the department to permit recreational activities, including, but not limited to, hunting and fishing, on land subject to a wildlife conservation easement, on land subject to a fish and wildlife habitat contract, or on a qualified mitigation bank site subject to a memorandum of understanding under the mitigation bank act, except as specifically prohibited in the applicable easement, contract, or memorandum of understanding.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 1507 is added to the Fish and Game Code,
- 2 to read:
- 3 1507. (a) The Legislature finds and declares that lawful
- 4 recreational activities, including, but not limited to, hunting and
- 5 fishing, are compatible uses of lands subject to easements or
- 6 agreements for wildlife purposes.
- 7 (b) Except as specifically prohibited in the applicable easement,
- 8 contract, or memorandum of understanding, the department shall
- 9 permit recreational activities, including, but not limited to, hunting
- 10 and fishing, on the following:
- 11 (1) Land subject to a wildlife conservation easement pursuant
- 12 to Article 3 (commencing with Section 1345) of Chapter 4.
- 13 (2) Land subject to a contract for fish and wildlife habitat
- 14 preservation, restoration, and enhancement pursuant to Section
- 15 1501.5.
- 16 (3) A qualified mitigation bank site subject to a memorandum
- 17 of understanding pursuant to Article 3 (commencing with Section
- 18 1784) of Chapter 4.